

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**BRUCE PULCHALSKI,**  
**Plaintiff**

**v.**

**FRANKLIN COUNTY,**  
**Defendant**

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**No. 1:15-cv-01365**

**(Judge Kane)**

**(Magistrate Judge Carlson)**

**ORDER**

Before the Court is the September 27, 2016 Report and Recommendation of Magistrate Judge Carlson. (Doc. No. 43.) No objections have been filed. Accordingly, on this 22nd day of November, 2016, upon independent review of the record and the applicable law, **IT IS**

**HEREBY ORDERED THAT:**

1. The Court adopts the Report and Recommendation of Magistrate Judge Carlson (Doc. No. 43);
2. Defendant's motion to dismiss (Doc. No. 29), is **GRANTED IN PART AND DENIED IN PART**. Defendant's motion to dismiss is granted with respect to Plaintiff's claim for punitive damages and is denied in all other respects;
3. The above-captioned action is referred back to Magistrate Judge Carlson for further pre-trial management.

s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania